



General Assembly

January Session, 2007

**Committee Bill No. 6941**

LCO No. 5105

\*05105HB06941TRA\*

Referred to Committee on Transportation

Introduced by:  
(TRA)

**AN ACT CONCERNING ABANDONED MOTOR VEHICLES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 14-150 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective July 1, 2007*):

3 (a) Any person who abandons any motor vehicle within the limits of  
4 any highway or upon property other than such person's own without  
5 the consent of the owner thereof for a period longer than twenty-four  
6 hours shall have committed an infraction and shall be fined not less  
7 than eighty-five dollars. The last owner of record of a motor vehicle  
8 found abandoned, as shown by the files of the Department of Motor  
9 Vehicles, shall be deemed prima facie to have been the owner of such  
10 motor vehicle at the time it was abandoned and the person who  
11 abandoned the same or caused or procured its abandonment.

12 (b) Any inspector of the Department of Motor Vehicles, any officer  
13 attached to an organized police department, any enforcement officer of  
14 a parking authority authorized under an ordinance adopted pursuant  
15 to section 7-204a to enforce parking regulations in the municipality in  
16 which it is located or any state police officer upon discovery of any

17 motor vehicle, whether situated within or without any highway of this  
18 state, which is a menace to traffic or public health or safety, shall take  
19 such motor vehicle into such inspector's or officer's custody and cause  
20 the same to be taken to and stored in a suitable place.

21 (c) Any inspector of the Department of Motor Vehicles, any officer  
22 attached to an organized police department, any enforcement officer of  
23 a parking authority authorized under an ordinance adopted pursuant  
24 to section 7-204a to enforce parking regulations in the municipality in  
25 which it is located or any state police officer, upon discovery of any  
26 motor vehicle apparently abandoned or a motor vehicle without  
27 proper registration, whether situated within or without any highway  
28 of this state, shall affix to such motor vehicle a notification sticker in a  
29 manner so as to be readily visible. This notification sticker shall contain  
30 the following information: (1) The date and time the notification sticker  
31 was affixed to the motor vehicle; (2) a statement that pursuant to this  
32 section, if the motor vehicle is not removed within twenty-four hours  
33 of the time the sticker was affixed, it shall be taken into custody and  
34 stored at the owner's expense; (3) the location and telephone number  
35 where additional information may be obtained; and (4) the identity of  
36 the affixing officer. If the motor vehicle is not removed within such  
37 twenty-four-hour period, the affixing department or parking authority  
38 shall take such motor vehicle into its custody and cause the same to be  
39 stored in a suitable place, except that such department or parking  
40 authority shall make a reasonable attempt to notify the owner of any  
41 such motor vehicle which is determined to be stolen prior to taking  
42 such vehicle into its custody and shall allow such owner to make  
43 arrangements for removal of such vehicle.

44 (d) If the motor vehicle has no registration marker plates or invalid  
45 registration marker plates, and if such inspector or officer makes a  
46 determination in good faith that (1) the motor vehicle is apparently  
47 abandoned, (2) the market value of such motor vehicle in its current  
48 condition is five hundred dollars or less, and (3) the motor vehicle is so  
49 vandalized, damaged, or in disrepair as to be unusable as a motor

50 vehicle, title to such motor vehicle shall, upon taking custody of such  
51 motor vehicle, immediately vest in the municipality in which the  
52 motor vehicle was discovered. Within forty-eight hours of the time  
53 that such motor vehicle is taken into custody, the affixing department  
54 or parking authority shall notify the Commissioner of Motor Vehicles,  
55 in writing, of the vehicle identification number and a description of the  
56 motor vehicle. Upon sale or other disposition of the motor vehicle, the  
57 affixing department or parking authority shall give written notice by  
58 certified mail to the person who was the owner of such motor vehicle  
59 at the time of abandonment, if known, which notice shall state that the  
60 motor vehicle has been sold or otherwise disposed of. The proceeds of  
61 the sale or disposition, or the fair market value of the motor vehicle in  
62 its current condition, whichever is greater, less the towing and sale or  
63 disposal expenses and the amount of any fines due, shall be paid to  
64 such person or such person's representatives, if claimed by such  
65 person or them within one year from the date of sale. If such balance is  
66 not claimed within such period, it shall escheat to the municipality. If  
67 the expenses incurred by the municipality for towing and the sale or  
68 disposition of such motor vehicle and any such fines exceed the  
69 proceeds of such sale or disposition, such person shall be liable to such  
70 municipality for such excess amount.

71 (e) Within forty-eight hours of the time that a motor vehicle is taken  
72 into custody and stored pursuant to subsection (b) or (c) of this section,  
73 the affixing department or parking authority shall give written notice  
74 by certified mail to the owner and any lienholders of such motor  
75 vehicle, if the same appears on the records of the Department of Motor  
76 Vehicles, which notice shall state (1) that the motor vehicle has been  
77 taken into custody and stored, (2) the location of storage of the motor  
78 vehicle, (3) that, unless title has already vested in the municipality  
79 pursuant to subsection (d) of this section, such motor vehicle may be  
80 sold after fifteen days if the market value of such motor vehicle does  
81 not exceed one thousand five hundred dollars or after forty-five days if  
82 the value of such motor vehicle exceeds one thousand five hundred  
83 dollars, and (4) that the owner has a right to contest the validity of

84 such taking by application, on a form prescribed by the Commissioner  
85 of Motor Vehicles, to the hearing officer named in such notice within  
86 ten days from the date of such notice. Such application forms shall be  
87 made readily available to the public at all offices of the Department of  
88 Motor Vehicles, parking authorities authorized under an ordinance  
89 adopted pursuant to section 7-204a to enforce parking regulations and  
90 state and local police departments.

91 (f) (1) The chief executive officer of each town shall appoint a  
92 suitable person, who shall not be a member of any state or local police  
93 department, to be a hearing officer to hear applications to determine  
94 whether or not the towing within such municipality of such motor  
95 vehicle was authorized under the provisions of this section. Two or  
96 more towns may join in appointing such hearing officer; provided any  
97 such hearing shall be held at a location which is as near to the town  
98 within which such motor vehicle was towed as is reasonable and  
99 practicable. The commissioner shall establish by regulation the  
100 qualifications necessary for hearing officers and procedures for the  
101 holding of such hearings. If it is determined at such hearing that the  
102 vehicle was not a menace to traffic, abandoned or unregistered, as the  
103 case may be, the owner of such motor vehicle shall not be liable for any  
104 expenses incurred as a result of the taking and storage of such motor  
105 vehicle, the lien provisions of this section shall not apply to such  
106 owner, and the department which took and stored such motor vehicle  
107 shall be liable for such expenses. If the owner, prior to such  
108 determination, pays such expenses and the storage charges of such  
109 motor vehicle, and it is determined at such hearing that the motor  
110 vehicle was not a menace to traffic, abandoned or unregistered, as the  
111 case may be, the department or parking authority which took such  
112 motor vehicle shall be liable to such owner for the amount paid by  
113 such owner. Any person aggrieved by the decision of such hearing  
114 officer may, within fifteen days of the notice of such decision, appeal to  
115 the superior court for the judicial district wherein such hearing was  
116 held.

117 (2) The chief executive officer of each municipality shall designate a  
118 suitable person who shall be responsible for the collection of data  
119 concerning abandoned motor vehicles within such municipality and  
120 the preparation and submission of periodic reports to the  
121 Commissioner of Motor Vehicles which shall contain such information  
122 as the commissioner may require.

123 (g) The owner or keeper of any garage or other place where such  
124 motor vehicle is stored shall have a lien upon the same for such  
125 owner's or keeper's storage charges. Unless title has already vested in  
126 the municipality pursuant to subsection (d) of this section, if the  
127 current market value of such motor vehicle as determined in good  
128 faith by such owner or keeper does not exceed one thousand five  
129 hundred dollars and such motor vehicle has been stored for a period of  
130 not less than fifteen days, such owner or keeper may, unless an  
131 application filed by the owner pursuant to subsection (e) of this section  
132 is pending and the owner of such motor vehicle has notified such  
133 owner or keeper that such application for hearing has been filed, sell  
134 the same for storage and towing charges owed thereon, provided a  
135 notice of intent to sell shall be sent to the commissioner, the owner and  
136 any lienholder of record of such motor vehicle, if known, five days  
137 before the sale of such vehicle. If the current market value of such  
138 motor vehicle as determined in good faith by such owner or keeper  
139 exceeds one thousand five hundred dollars and if such motor vehicle  
140 has been so stored for a period of forty-five days, such owner or keeper  
141 shall, unless an application filed by the owner pursuant to subsection  
142 (e) of this section is pending and the owner of such motor vehicle has  
143 notified such owner or keeper that such application for hearing has  
144 been filed, sell the same at public auction for cash, at such owner's or  
145 keeper's place of business, and apply the avails of such sale toward the  
146 payment of such owner's or keeper's charges and the payment of any  
147 debt or obligation incurred by the officer who placed the same in  
148 storage, provided if the last place of abode of the owner of such motor  
149 vehicle is known to or may be ascertained by such garage owner or  
150 keeper by the exercise of reasonable diligence, notice of the time and

151 place of sale shall be given to such owner and any lienholder of record  
152 by mailing such notice to such owner in a registered or certified letter,  
153 postage paid, at such last usual place of abode, at least five days before  
154 the time of sale. At any public auction held pursuant to this subsection,  
155 such garage owner or keeper may set a minimum bid equal to the  
156 amount of such owner's or keeper's charges and obligations with  
157 respect to the tow and storage of the motor vehicle. If no such bid is  
158 made, such owner or keeper may sell or dispose of such vehicle.

159 (h) The garage owner or keeper shall report the sales price, storing,  
160 towing and repair charges, if any; buyer's name and address;  
161 identification of the vehicle and such other information as may be  
162 required in regulations which shall be adopted by the commissioner in  
163 accordance with the provisions of chapter 54, to the commissioner  
164 within fifteen days after the sale of the motor vehicle. The proceeds of  
165 such sale, after deducting the amount due such garage owner or  
166 keeper and all expenses connected with such sale, including the  
167 expenses of the officer who placed such motor vehicle in storage, shall  
168 be paid to the owner of such motor vehicle or such owner's legal  
169 representatives, if claimed by such owner or them at any time within  
170 one year from the date of such sale. If such balance is not claimed  
171 within said period, it shall escheat to the state.

172 (i) If the owner of such motor vehicle placed in storage in  
173 accordance with the provisions of this section does not claim such  
174 motor vehicle within thirty days, the owner of such garage or other  
175 place of storage shall, within forty days of the date such motor vehicle  
176 was placed in storage with such owner, send a written notice to the  
177 commissioner, stating the make, engine number and chassis number of  
178 such motor vehicle, the date such motor vehicle was left with such  
179 owner for storage and by whom and the registration number thereof if  
180 any number plates are on such motor vehicle, which notice shall be  
181 placed on file by the commissioner and shall be subject to public  
182 inspection. The fee for filing such notice shall be five dollars. Any sale  
183 under the provisions of this section shall be void, unless the notice

184 required by this section has been given to the commissioner.

185 (j) The Commissioner of Motor Vehicles shall not register any motor  
186 vehicle if the owner of such motor vehicle is the last owner of record of  
187 an abandoned motor vehicle and has failed to pay all towing, sale or  
188 disposal expenses and fines associated with the towing, storage, sale or  
189 disposal of such abandoned motor vehicle.

190 [(j)] (k) The Commissioner of Motor Vehicles shall adopt  
191 regulations, in accordance with the provisions of chapter 54, (1)  
192 specifying the circumstances under which title to any motor vehicle  
193 abandoned within the limits of any highway may be transferred to any  
194 person, firm or corporation towing such vehicle, and (2) establishing  
195 the procedure whereby such person, firm or corporation may obtain  
196 title to such motor vehicle.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2007	14-150

**Statement of Purpose:**

To require that owners of an abandoned motor vehicle pay all expenses associated with the towing, storing, sale or disposal of such abandoned motor vehicle before registering a new motor vehicle.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*

Co-Sponsors: REP. NAFIS, 27th Dist.

H.B. 6941